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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/675,451	09/29/2000	Kevin A. Retlich	00AB187	9892

7590

12/12/2003

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EXAMINER

TRAN, TAM D

ART UNIT

PAPER NUMBER

2676

DATE MAILED: 12/12/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/675,451

Applicant(s)

RETlich ET AL.

Examiner

Tam D. Tran

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2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09/25/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1--46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☒ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-46 are rejected under 35 U.S.C. 102(b) as being anticipated by Rolnik et al. (USPN 5801707), hereinafter simply Rolnik.

2. In regard to claims 1, 14, 24, 32, 39, Rolnik teaches a method of creating view of a system of network components, see col.1 lines 35-43, the method comprising: storing in memory object of each component data representative of the respective component and of a configuration of the component; accessing the data from the memory objects via a data network; see col.1 lines 44-47; generating a user viewable representation of the system based upon the data, the representation including physical representations of each component positioned with respect to one another and a physical representation of the system. See col.3 lines 15- 40.

3. In regard to claims 2, 3, 20, 34-38, 40, 41, Rolnick teaches a method of creating view of a system of network components, wherein the physical configuration of the component includes data representative of a location of the component in the system and physical dimension of a subunit of the system, every electrical component having electrical power load. See col.4 lines 5-10.

4. In regard to claims 4, 5, 21, 22, 28, 29, Rolnik teaches a method of creating view of a system of network components, wherein user viewable representation is provided in a window

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area of a computer monitor and including representation of each component and location of component with respect to other components of the system. See col.4 lines 17-43.

5. In regard to claim 6, 19, 23, 30 Rolnik teaches a method of creating view of a system of network components. Wherein the representation includes indicia representative of an operational status. See col.4 lines 17-43.

6. In regard to claims 7, 8, Rolnik teaches a method of creating view of a system of network components, wherein a database for the system including the data stored in each memory object, memory object is downloaded into the memory object from the database. See col.1 lines 44-47.

7. In regard to claims 9,15, 45, 46, Rolnik teaches a method of creating view of a system of network components, wherein the user viewable representation is provided at a monitoring station coupled to the system via the data network which has internet protocol. See col.2 lines 15-20.

8. In regard to claim 10, 18, Rolnik teaches a method of creating view of a system of network components, wherein the memory objects are reprogrammable by the monitor station. See col.2 line 38-49.

9. In regard to claim 11, 16, 17, 25-27, 33, Rolnik teaches a method of creating view of a system of network components, wherein the monitoring station accesses a database containing system description data for generation of the user viewable representation. See col.4 lines 54-64.

10. In regard to claim 12, 44 Rolnik teaches a method of creating view of a system of network components, wherein the database include configuration data. See col.1 lines 44-55.

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11. In regard to claim 13, 31, 42, 43, Rolnik teaches a method of creating view of a system of network components, wherein a plurality of links to user viewable representation for each component. See col.4 lines 44-63.

***Response to Arguments***

12. Applicant's arguments with respect to independent claims 1, 14, 24, 32, 39, have been considered but are moot in view of the new ground(s) of rejection.

In response to applicants' argument that the reference fail to show certain features of applicants' invention, it is noted that the feature upon which applicants state "the representation including physical representations of each component positioned with respect to one another", is not recited in the rejected claims filed previously. For this reason, the rejection is maintained.

***Conclusion***

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tam D. Tran** whose telephone number is **703-305-4196**. The examiner can normally be reached on MON-FRI from 8:30 – 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Matthew Bella** can be reached on **703-308-6829**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

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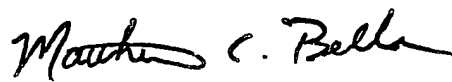
Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA, Sixth floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding  
should be directed to the Technology Center 2600 Customer Service Office whose  
telephone number is (703) 306-0377.

Tam Tran

*TT*  
Examiner

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MATTHEW C. BELLA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600